

2005-37

>>> "Patti " <registrar@cheboygancounty.net> 1/29/2007 1:20:29 PM >>>
Dear Mr. Davis:

Re: Proposed change to 5.125(C)(32)(d) - Recent trust proceedings in our court have elicited many requests from heirs who are not current trust beneficiaries requesting to be noticed of the proceeding. I question if the proposed language in (d) may be too broad because those heirs who are not named in the trust (right or wrong) believe that their interests are affected by any relief requested and they would want to be included as interested persons.

Re: Proposed change to 5.306(D)-I am questioning since the proposed rule reflects that a claim shall be presented to the personal representative, and the word "court" is deleted from (D)(2), should the rule be interpreted that claims can no longer be presented to the court?

Re: Proposed change to 5.410(A) - Since we represent a rural county, it is rare that we have a conservatorship where the ward has considerable assets to protect. The procedure that we use now on annual accountings is a Deputy Register reviews the accountings, and then we have a retired financial person review the account for a nominal sum (approximately \$10-\$15 depending upon time expended). My concern is if we have an attorney/guardian ad litem in every hearing on an accounting the cost to the ward would be punitive.

Thank you for this opportunity to address the above. Patricia Hansen,
Register of Probate